

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David K. Platner Group Art Unit: 3644
Serial No.: 10/056,945 Examiner: Nguyen, Trinh T.
Filed: October 25, 2001
Title: METHOD OF FORMING A TUBULAR AXLE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

This paper is responsive to the Examiner's Answer mailed on November 27, 2007.

REMARKS

In the response to argument section, the Examiner continually states that Appellant's arguments are not found persuasive since Appellant has not submitted and affidavit and/or evidence to show as to why and how the hydroforming process disclosed in *Moses* would not yield a polygonal cross-section and as to why and how *Dickson* cannot be utilized as bending, drawing, or machining is not applicable to thin wall tubing necessary for hydroforming. Appellant respectfully traverses these arguments as the cited references fail to contradict Appellant's points. Furthermore, it is readily apparent that hydroforming requires fluid to flow to the interior of the hollow member and that processes such as swaging or welding a king pin boss prior to hydroforming will prevent access to the interior of the hollow member and thus prevent the order of the processes proposed by the Examiner. This undermines the Examiner's contention and further supports Appellant's argument that Appellant's forming step cannot even be achieved through hydroforming.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,
CARLSON, GASKEY & OLDS, P.C.

/David L. Wisz/
DAVID L. WISZ
Registration No. 46,350
Attorneys for Applicant
400 West Maple, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

Dated: January 25, 2008

N:\Clients\MERITOR\Files 1001 to 1500\IP01220\Patent\Meritor1220_Reply_Brief.doc